

AMENDING THE WATER RESOURCES RESEARCH ACT OF 1964

AUGUST 5, 1971.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. JOHNSON of California, from the Committee on Interior and
Insular Affairs, submitted the following

REPORT

[To accompany H.R. 10203]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 10203) to amend the Water Resources Research Act of 1964, to increase the authorization for water resources research institutes, and for other purposes, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

H.R. 10203 was introduced by Mr. Johnson of California (for himself, Mr. Aspinall, Mr. Saylor, Mr. Hosmer, Mr. Haley, Mr. Baring, Mr. Taylor, Mr. Skubitz, Mr. Udall, Mr. McClure, Mr. Don H. Clausen, Mr. Steiger of Arizona, Mr. Foley, Mr. Meeds, Mr. Dellenback, Mr. Kazan, Mr. Camp, Mr. Roncalio, Mr. Begich, Mr. McKevitt, Mr. Sebelius, Mr. Terry, Mr. Hansen of Idaho, and Mr. Cordova). This is a clean bill which incorporates all committee amendments to H.R. 1400, the bill marked up by the committee.

In addition to H.R. 1400 (Mr. Johnson of California), other related bills considered by the committee were: H.R. 3835 (Mr. Morse); H.R. 5413 (Mr. Robison of New York); H.R. 6403 (Mr. Thone); H.R. 7293 (Mr. McClure and Mr. Hansen of Idaho); H.R. 9689 (Mr. Patten); and H.R. 10288 (Mr. Johnson of California, for himself, and Mr. Robison of New York and Mr. Morse).

PURPOSE

The purpose of the bill is primarily to increase the amount authorized to be appropriated to water resources research institutes under the annual allotment program, and to authorize the establishment of water resources research institutes in the District of Columbia and the territories of the Virgin Islands and Guam. The bill also amends the

Water Resources Research Act of 1964 in several other minor respects to afford more effective program administration and fund utilization.

BACKGROUND

In 1964, Congress passed the Water Resources Research Act authorizing a series of programs to be administered by the Secretary of the Interior in the interest of stimulating research in all aspects of water resource management and utilization. Three programs were established, as follows: (1) An annual allotment of \$100,000 to a water resources research institute in each of the 50 States and Puerto Rico; (2) a program of matching grants to such institutes; and, (3) a program of grants on a nonmatching basis to persons, firms, institutions, and other entities.

The Office of Water Resources Research has been organized within the Department of the Interior and serves as seat of administration for all of the programs authorized by the act. The program has functioned with increasing effectiveness, and the 51 institutes established pursuant to the legislation are making significant contributions to the solution of water resource related problems in the many fields and disciplines involved in water resource management.

NEED FOR LEGISLATION

The overriding need for this legislation is to enable the water resources research institutes to carry on the functions for which they were authorized. The cost of doing business in the research field has increased by 60 to 70 percent in the 1-year period since the program was initiated. Approximately one-half of the increase in the annual allotment program provided by H.R. 10203, as reported, is associated specifically with inflationary factors. Additionally, the institutes have become better organized, more imaginative, and able to set forth justifiable programs which justify an increase in the level of activity. Increased emphasis on environmental problems has resulted in the need for additional water resources research. One of the related provisions of this legislation is to give statutory emphasis to the dissemination of research findings, an area in which some institutes have not been effective. This emphasis will require added funding support which will be provided by the increased authorization.

The District of Columbia and the Territories of the Virgin Islands and Guam are not immune from water resource related problems requiring specialized research. In fact, these jurisdictions each have unique problems not readily susceptible of solution by research conducted at other State institutes. Effective and timely resolution of these problems demands that a research capability be established within each of such jurisdictions and that an adequate level of funding support be provided at an early date.

SECTION-BY-SECTION ANALYSIS

There follows below a discussion of the major provisions of the bill as reported by the committee, together with information on alterna-

tive provisions considered by the committee during its study of the measure:

Section 1.—Section 1 of H.R. 10203 has two important provisions. The first is an increase in the annual allotment program for each existing water resources research institute from \$100,000 to \$250,000. The Department of the Interior, in its report on companion bills recommended an increase to the level of \$200,000. The committee found, on the basis of testimony offered during subcommittee hearings, that the larger increase was amply justified; in fact, it was badly needed if the proper level of research and subsequent dissemination of research findings were to be adequately carried forward. The second major provision of section 1 is a limitation on the funding for newly authorized institutes for the District of Columbia and the Territories of the Virgin Islands and Guam. The bill provides that the first-year funding level shall not exceed \$125,000 (one-half of full funding for existing institutes) and \$200,000 (80 percent of full funding) for the second year. This limitation recognizes that a period of time is required for newly created institutes to organize their affairs, secure staff and equipment, develop programs, and otherwise get in position to operate effectively at full funding levels. The Department of the Interior recommended a somewhat more restrictive level of initial funding, but supported the general principle of the buildup during early years of institute operation.

Section 2.—This section amends the Water Resources Research Act to include within the scope of institute activities specific legislative mandates in the area of information dissemination. This language was not endorsed by the administration, it being the stated view that sufficient legislative authority exists to enable an adequate performance in this area. The committee believes, however, that the language is essential to stimulate a more effective effort in information dissemination although a number of institutes are, indeed, doing good work in this area at the present time.

Section 3.—This section amends existing law to provide that the programs of research activity devised for funding through annual allotment grants shall be worked out in consultation with action-program officials of the several States and other jurisdictions. This language was suggested by the Department of the Interior and will serve the purpose of assuring that funds expended under this program will be spent on more relevant and practical studies than has been the case in the early years of the program.

Section 4.—This section amends existing law to simplify the accounting procedures of the institutes, insofar as annual allotment funds are concerned. Existing law prohibits the use of allotment funds for any purpose other than the direct expense of conducting research. This prohibition has been interpreted to mean that such expenses as employer's social security contributions and other fringe benefits cannot be defrayed with annual allotment funds. This has necessitated involved bookkeeping systems to assure that the prohibition was not violated. As amended by this section, it will be permissible to meet such expenses with appropriated funds provided the annual allotment is supplemented with an equal or greater sum from some other source. The Department of the Interior endorses the principle in-

volved in this amendment and the committee found that most if not all institutes are already supplementing the annual allotments to varying degrees.

Section 5.—This section amends the existing act to require that the annual report of the Secretary to the President and the Congress contain information specifically identifying all grants awarded pursuant to the provisions of title II of the act. The Department of the Interior recommended that this provision be adopted as a substitute for the present procedure through which information on proposed grants is forwarded to the Committees on Interior and Insular Affairs of the House of Representatives and of the Senate 60 days prior to their becoming effective. The committee believes that the present procedure should be continued in the interest of more effective oversight and further believes that the requirement to include data on prospective title II grants in the annual report will contribute to more careful selection of awardees from among the applicants for such grants.

Section 6.—Section 6 amends the Water Resources Research Act to provide authority for the establishment of Water Resources Research Institutes in the District of Columbia and in the territories of the Virgin Islands and Guam. The Department of the Interior supported this provision of the act and further recommended the inclusion of American Samoa. The committee language omits American Samoa, it being the feeling that the Community College of American Samoa, where an institute would be located, is not yet ready organizationally and academically to manage effectively water resources research activities. In taking this position, the committee acknowledges that American Samoa may well have unique water resource related problems requiring specific research. Accordingly, the committee would expect to consider further the question of authorizing a water resources institute for American Samoa at a later date when there would be improved prospects for effective research administration.

Section 7.—This section amends the existing act to provide for the annual report of the Secretary of the Interior to be submitted to the President and the Congress on a fiscal year basis rather than a calendar year basis. The section also changes the submission date from March 1 to October 1 to correspond to the new reporting period. The Department of the Interior recommended the change in reporting period and took no position on the question of the reporting date.

Section 8.—This section adds language to the act which would permit the Secretary of the Interior to convey property acquired from excess personal property lists to qualified entities with or without compensation. This procedure would parallel the procedures which are now authorized with respect to purchased personal property. It is endorsed by the Department of the Interior.

COSTS

In accordance with clause 7 of rule XIII of the Rules of the House, the costs estimated to be incurred pursuant to the provisions of H.R. 10203 are as follows:

First year	\$8,025,000
Second year	8,250,000
Third year and thereafter	8,400,000

These estimates are based upon the assumption that the amounts authorized to be appropriated will be appropriated.

COMMITTEE RECOMMENDATIONS

The Committee on Interior and Insular Affairs, on the basis of an unanimous voice vote, recommends that H.R. 10203 be enacted.

EXECUTIVE COMMUNICATIONS

Executive communications from the Department of the Interior and the Commissioner, District of Columbia, on H.R. 7293, a related bill, are set forth in full below:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., June 28, 1971.

Hon. WAYNE N. ASPINALL,
*Chairman, Committee on Interior and Insular Affairs,
House of Representatives, Washington, D.C.*

DEAR MR. CHAIRMAN: This responds to your request for the views of this Department concerning H.R. 1400, H.R. 3835, H.R. 5413, H.R. 6403, and H.R. 7293, bills to amend the Water Resources Research Act of 1964 to increase the authorization for water resources research and institutes, and for other purposes.

We recommend that H.R. 7293 be enacted, if amended as set forth herein, and that the other bills not be enacted.

H.R. 1400, H.R. 3835, H.R. 5413, H.R. 6403, and H.R. 7293 are similar but not identical. All bills would amend section 100(a) of the Water Resources Research Act of 1964 so as to increase the present \$100,000 maximum authorized appropriation for support of each state university water resources research and training institute. H.R. 7293 would authorize a \$200,000 maximum, the other bills a \$250,000 maximum. All bills except H.R. 7293 would also provide for adjustment of the maximum to reflect changes in the cost of research and training programs. All bills, including H.R. 7293, would authorize the use of funds for dissemination of scientific information produced by the programs, a function not now specifically covered by the Water Resources Research Act. In addition, H.R. 7293 would amend the definition of the word "State" to include the District of Columbia, the Virgin Islands, and Guam, thus making them eligible to receive funds and participate in the programs authorized by title I of the act.

All bills agree on the need to increase the appropriations for annual grants to State institutes carrying out water resources research. Despite significant state contributions to this cooperative Federal-State program, the present authorized Federal contribution is not adequate to support the needed research at a time when problems of both quantity and quality of water are mounting. Inflation has seriously eroded the purchasing power of the dollar amount originally authorized, which did not anticipate today's multitude of water-related problems. Additional funds would also be needed to carry out the directive of these bills to interpret and disseminate results of water resources re-

search to those who can apply such results to the solution of water problems. Additional funding would also increase the opportunity for highly competent research personnel of other universities to participate in State institute programs and for State institutes to expand upon their success in training water resource scientists and engineers. We believe that section 2 of H.R. 7293, providing for scientific information dissemination, should be deleted on the ground that the institutes now have adequate authority to disseminate such information.

As noted above, H.R. 7293 does not provide the automatic cost-of-doing research adjustment of amounts authorized by section 100(a) as do the other bills before the committee. We believe H.R. 7293 is sound in this regard because no reliable index relevant to the changing costs of this program, due to inflation or deflation, appears to exist and if future adjustments are found to be necessary, this can be done by amendatory legislation when appropriate.

We favor generally the inclusion of the District of Columbia, Guam, and the Virgin Islands in the act's title I research and training programs and believe that American Samoa should also be included. We question whether Federal City College, the College of the Virgin Islands, the University of Guam, and the Community College of American Samoa would be able, at least initially, to utilize the full amount of grant funds efficiently and effectively for conducting the types of water resources research and training programs authorized by the act. All four schools are relatively new and small, have a limited number of water-knowledgeable professionals in their faculties who could serve as principal research project investigators, have limited research equipment and facilities and do not have the graduate school programs that now provide so much of the high-quality research assistance at the existing institutes. We would, therefore, recommend that institutes for the District of Columbia, the Virgin Islands, Guam, and American Samoa be funded at lower initial levels (just as the present institutes were) rising to the levels of other state institutes at no more than \$50,000 per year, or less if experience shows that they cannot effectively use the grants. To accomplish this, the following should be added in place of the period in line 6, page 1:

"and by adding a further proviso at the end of such subsection as follows: '*Provided further*, That for the fiscal year 1973 not more than \$50,000 shall be appropriated for the District of Columbia, the Virgin Islands, Guam, and American Samoa, not more than \$100,000 for the fiscal year 1974, and not more than \$150,000 for fiscal year 1975.'"

and section 3 of the bill should be amended by inserting in place of "and Guam" on line 14, page 2, the words "Guam and American Samoa".

To better assure that State institute programs will contribute to the solution of important water-related problems, we believe that proposed annual programs should be developed in consultation with leading water resources officials and agencies of the respective states and to accomplish this we recommend further amendment of section 2 of H.R. 7293 by adding a sentence at the end thereof to read as follows:

“The annual programs submitted by the State institutes to the Secretary for approval shall include assurance satisfactory to the Secretary that such programs were developed in close consultation and collaboration with leading water resources officials within the State to promote research, training, and other work meeting the needs of the State.”

To facilitate improved administration of the program of water resources research and training authorized by the act, we believe that the following additional amendments, set forth as proposed sections, should be added to H.R. 7293:

1. “SEC. 4. Section 102 of the Water Resources Research Act of 1964 is amended by adding a sentence after the first sentence to read as follows: ‘Funds received by an institute pursuant to such payments may be used for any allowable costs as defined and permitted by the Federal Procurement Regulations: *Provided*, That the direct costs of the programs of each State institute, as distinguished from indirect costs, are not less than the amount of the Federal funds made available to such State institute pursuant to said section of this Act.’”

While retaining in full the cooperative Federal-State concept and nature of the section 100 program, this amendment would simplify the fiscal bookkeeping responsibilities of the State university institutes since they would not need to be concerned with segregating program costs, as they are now required to do, to assure that Federal funds are not used for employee benefits or indirect costs. For the same reason, the amendment would simplify the preparation of program and project proposal budgets and improve program management generally, including some reduction in record preparation and recordkeeping costs.

2. “SEC. 5. Section 200(b) of the Water Resources Research Act of 1964 is amended to read as follows: ‘(b) In addition to other requirements of this Act, the Secretary’s annual report to the President and Congress as required by section 308 of this Act, shall specifically identify each contract and grant award approved under subsection (a) of this section in the preceding fiscal year, including the title of each research project, name of performing organization, and the amount of each grant of contract.’”

This amendment would facilitate and expedite title II research program management and execution by deleting the requirement that proposed title II contracts and grants must be submitted to the Congress for 60 days prior to final execution of the contract and grant documents. The Office of Water Resources Research believes that it can keep the Congress fully informed of the title II programs in a satisfactory manner without continuing the present procedure and the additional delay and paperwork involved. The proposed revised language would assure that congressional committees and Members of Congress were informed annually as to the specific application of title II funds. (Note that if the following amendment is not accepted, the reference to section 308 in proposed section 5 would be to section 307 instead).

3. “SEC. 6. Sections 303 through 307 of the Water Resources Research Act of 1964 are renumbered sections 304 through 308, respectively, and the following is inserted after section 302:

'SEC. 303. The Secretary is authorized to acquire Federal excess personal property in accordance with and as defined by Federal Property Management Regulations that will effectively contribute to the exercise of authority granted by this Act, and to dispose of such property in accordance with Federal Property Management Regulations or in a manner similar to that authorized by section 2 of Public Law 85-934.'"

This amendment would simplify recordkeeping relating to Federal excess personal property acquired in furtherance of the purposes and objectives of the act and when adequate and satisfactory justification is provided, it will permit the transfer of title to such property to academic and nonprofit research foundations where it is shown that such property will have continuing value in water resources research and related training activities of the grantee organization.

4. "SEC. 7. Section 307 [renumbered 308] of the Water Resources Research Act of 1964 is amended by striking out the word 'calendar' and inserting in lieu thereof the word 'fiscal'."

This would put the Secretary's annual report to the President and Congress on a fiscal rather than a calendar year basis. The annual report would be improved since it would be related directly to research grants and contracts and to other program activities that are funded on a fiscal year basis. The present calendar year report makes it necessary to provide fiscal and program accomplishment information for 2 fiscal years, one of which is completed and the other in progress, thus making the report more complex and less understandable and accurate.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

HOLLIS M. DOLE,
Secretary of the Interior.

DEPARTMENT OF THE INTERIOR

ESTIMATED ADDITIONAL PERSONNEL AND FUNDS REQUIRED FOR THE FIRST 5 YEARS OF THE PROPOSED AMENDED PROGRAM—WATER RESOURCES RESEARCH ACT OF 1964

	1st year	2d year	3d year	4th year	5th year
Estimated additional civilian employment:					
Supervisory and professional.....	5	5	5	5	5
Clerical and stenographic.....	3	3	3	3	3
Total additional positions.....	8	8	8	8	8
Total estimated additional man-years of employment.....	6	8	8	8	8
Estimated additional expenditures:					
Personal services.....	\$110,000	\$150,000	\$150,000	\$150,000	\$150,000
All other.....	5,305,000	5,510,000	5,710,000	5,910,000	5,910,000
Total estimated additional expenditures.....	5,415,000	5,660,000	5,860,000	6,060,000	6,060,000

THE DISTRICT OF COLUMBIA,
Washington, D.C., July 9, 1971.

HON. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Commissioner of the District of Columbia desires to report on H.R. 7293, a bill to amend the Water Resources Research Act of 1964 to increase the authorization for water resources research and institutes, and for other purposes.

The bill would increase the authorization for water resources research funds available to States under the Water Resources Research Act of 1964 (78 Stat. 329; 42 U.S.C. 1961a) from \$100,000 to \$200,000. This bill would also authorize the use of funds for dissemination of scientific information produced by State programs. Finally, H.R. 7293 would amend the definition of "State" in the act to include the District of Columbia, the Virgin Islands, and Guam as recipients of Federal assistance.

The Commissioner strongly supports the inclusion of the District of Columbia as a recipient jurisdiction under the Water Resources Research Act of 1964. He believes that the benefits which could accrue to the District and the surrounding area from improved water resource management make research in this area a prudent investment.

The Department of the Interior reported to your committee on H.R. 7293 and related bills on June 28, 1971. In its report, the Department favored the inclusion of the District of Columbia as a recipient under the Water Resources Research Act. The Department, however, recommended that the District not receive full funding immediately under the act, but rather that the District be funded at lower initial levels (50,000 for fiscal year 1973) rising to the levels of other State institutes at no more than \$50,000 per year; thus, not reaching full funding until fiscal year 1976.

In its report, the Department of the Interior incorrectly states that the Federal City College would be the sole recipient institute in the District. Funds received under the Water Resources Research Act of 1964, unless otherwise provided, are distributed to the land grant colleges in the respective States. The District of Columbia Public Education Act, as amended, specifies that both Federal City College and the Washington Technical Institute shall be land grant colleges in the District of Columbia and shall share land grant moneys equally (see D.C. Code, § 31-1607). Such a sharing arrangement would likewise prevail with respect to grants under the Water Resources Research Act (see 42 U.S.C. § 1961a(a)).

Although Federal City College and Washington Technical Institute were not established until 1968, the estimated combined enrollment for the coming year is 15,700. In terms of graduate study, Federal City College now has 600 students enrolled in its graduate school program. Both schools have initiated water resource research activi-

ties and full funding under the Water Resources Research Act for the District's institutions would clearly stimulate these activities. It is understood that the foregoing facts have been brought to the attention of the Department of the Interior, and that it is now prepared to support full funding for the District.

The Commissioner of the District of Columbia recommends enactment of H.R. 7293 with amendments recommended by the Department of the Interior, but without any restriction on the funding available under the Water Resources Research Act for the District.

The Office of Management and Budget has advised that, from the standpoint of the administration's program, there is no objection to the presentation of this report.

Sincerely yours,

GRAHAM W. WATT,
Assistant to the Commissioner.
WALTER E. WASHINGTON,
Commissioner.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law are shown as follows: Existing law proposed to be omitted is enclosed in brackets; new matter is printed in italic.

ACT OF JULY 17, 1964 (78 STAT. 329)

That (a) this Act may be cited as the "Water Resources Research Act of 1964."

(b) In order to assist in assuring the Nation at all times of a supply of water sufficient in quantity and quality to meet the requirements of its expanding population, it is the purpose of the Congress, by this Act, to stimulate, sponsor, provide for, and supplement present programs for the conduct of research, investigations, experiments, and the training of scientists in the fields of water and of resources which affect water.

TITLE I—STATE WATER RESOURCES RESEARCH INSTITUTES

SEC. 100. (a) There are authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and each subsequent year thereafter sums adequate to provide \$75,000 to each of the several States in the first year, \$87,500 in each of the second and third years, and ~~[\$100,000]~~ *\$250,000* each year thereafter to assist each participating State in establishing and carrying on the work of a competent and qualified water resources research institute, center, or equivalent agency (hereinafter referred to as "institute") at one college or university in that State, which college or university shall be a college or university established in accordance with the Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and territories which may provide colleges for the bene-

fit of agriculture and the mechanic arts" or some other institution designated by Act of the legislature of the State concerned: *Provided*, That (1) if there is more than one such college or university in a State, established in accordance with said Act of July 2, 1862, funds under this Act shall, in the absence of a designation to the contrary by act of the legislature of the State, be paid to the one such college or university designated by the Governor of the State to receive the same subject to the Secretary's determination that such college or university has, or may reasonably be expected to have, the capability of doing effective work under this Act: (2) two or more States may cooperate in the designation of a single interstate or regional institute, in which event the sums assignable to all of the cooperating States shall be paid to such institute; and (3) a designated college or university may, as authorized by appropriate State authority, arrange with other colleges and universities within the State to participate in the work of the [institute.] *institute: Provided further, That for fiscal year 1973 not more than \$125,000 shall be appropriated for each of the District of Columbia, the Virgin Islands and Guam, and for fiscal year 1974 not more than \$200,000 shall be appropriated for each of such areas.*

(b) It shall be the duty of each such institute to plan and conduct and/or arrange for a component or components of the college or university with which it is affiliated to conduct competent research, investigations, and experiments of either a basic or practical nature, or both, in relation to water resources and to provide for the training of scientists through such research, investigations, and experiments. Such research, investigations, experiments, and training may include, without being limited to, aspects of the hydrologic cycle; supply and demand for water; conservation and best use of available supplies of water; methods of increasing such supplies; and economic, legal, social engineering, recreational, biological, geographic, ecological, and other aspects of water problems, *and scientific information dissemination activities, including identifying, assembling, and interpreting the results of scientific and engineering research deemed potentially significant for solution of water resource problems, providing means for improved communication regarding such research results, including prototype operations, ascertaining the existing and potential effectiveness of such for aiding in the solution of practical problems, and for training qualified persons in the performance of such scientific information dissemination;* having due regard to the varying conditions and needs of the respective States, to water research projects being conducted by agencies of the Federal and State Governments, the agricultural experiment stations, and others, and to avoidance of any undue displacement of scientists and engineers elsewhere engaged in water resources research. *The annual programs submitted by the State institutes to the Secretary for approval shall include assurance satisfactory to the Secretary that such programs were developed in close consultation and collaboration with leading water resources officials within the State to promote research, training, and other work meeting the needs of the State.*

SEC. 101. (a) There is further authorized to be appropriated to the Secretary of the Interior for the fiscal year 1965 and each sub-

sequent year thereafter sums not in excess of the following: 1965, \$1,000,000; 1966, \$2,000,000; 1967, \$3,000,000; 1968, \$4,000,000; and 1969 and each of the succeeding years, \$5,000,000. Such moneys when appropriated, shall be available to match, on a dollar-for-dollar basis, funds made available to institutes by States or other non-Federal sources to meet the necessary expenses of specific water resources research projects which could not otherwise be undertaken, including the expenses of planning and coordinating regional water resources research projects by two or more institutes.

(b) Each application for a grant pursuant to subsection (a) of this section shall, among other things, state the nature of the project to be undertaken, the period during which it will be pursued, the qualifications of the personnel who will direct and conduct it, the importance of the project to the water economy of the Nation, the region, and the State concerned, its relation to other known research projects theretofore pursued or currently being pursued, and the extent to which it will provide opportunity for the training of water resources scientists. No grant shall be made under said subsection (a) except for a project approved by the Secretary, and all grants shall be made upon the basis of the merit of the project, the need for the knowledge which it is expected to produce when completed, and the opportunity it provides for the training of water resources scientists.

SEC. 102. Sums available to the States under the terms of sections 100 and 101 of this Act shall be paid to their designated institutes at such times and in such amounts during each fiscal year as determined by the Secretary, and upon vouchers approved by him. *Funds received by an institute pursuant to such payment may be used for any allowable costs within the meaning of the Federal Procurement Regulations that establish principles for determining costs applicable to research and development under grants and contracts with educational institutions (41 C.F.R. 1-15.3), including future amendments thereto: Provided, That the direct costs of the programs of each state institute, as distinguished from indirect costs, are not less than the amount of the Federal funds made available to such state institute pursuant to section 100 of this Act.* Each institute shall have an officer appointed by its governing authority who shall receive and account for all funds paid under the provisions of this Act and shall make an annual report to the Secretary on or before the 1st day of September of each year, on work accomplished and the status of projects underway, together with a detailed statement of the amounts received under any of the provisions of this Act during the preceding fiscal year, and of its disbursements, on schedules prescribed by the Secretary. If any of the moneys received by the authorized receiving officer of any institute under the provisions of this Act shall by any action or contingency be found by the Secretary to have been improperly diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to any institute of such State.

SEC. 103. Moneys appropriated pursuant to this Act, in addition to being available for expenses for research, investigations, experiments, and training conducted under authority of this Act, shall also be available for printing and publishing the results thereof and for adminis-

trative planning and direction. The institutes are hereby authorized and encouraged to plan and conduct programs financed under this Act in cooperation with each other and with such other agencies and individuals as may contribute to the solution of the water problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.

SEC. 104. The Secretary of the Interior is hereby charged with the responsibility for the proper administration of this Act and, after full consultation with other interested Federal agencies, shall prescribe such rules and regulations as may be necessary to carry out its provisions. He shall require a showing that institutes designated to receive funds have, or may reasonably be expected to have, the capability of doing effective work. He shall furnish such advice and assistance as will best promote the purposes of this Act, participate in coordinating research initiated under this Act by the institutes, indicate to them such lines of inquiry as to him seem most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutes and between them and other research organizations, the United States Department of the Interior, and other Federal establishments.

On or before the 1st day of July in each year after the passage of this Act, the Secretary shall ascertain whether the requirements of section 102 have been met as to each State, whether it is entitled to receive its share of the annual appropriations for water resources research under section 100 of this Act, and the amount which it is entitled to receive.

SEC. 105. Nothing in this Act shall be construed to impair or modify the legal relation existing between any of the colleges or universities under whose direction an institute is established and the government of the State in which it is located, and nothing in this Act shall in any way be construed to authorize Federal control or direction of education at any college or university.

TITLE II—ADDITIONAL WATER RESOURCES RESEARCH PROGRAMS

SEC. 200. (a) There are authorized to be appropriated to the Secretary of the Interior \$5,000,000 for the fiscal year 1967, \$6,000,000 for the fiscal year 1968, \$7,000,000 for the fiscal year 1969, \$8,000,000 for the fiscal year 1970, \$9,000,000 for the fiscal year 1971, and \$10,000,000 for each of the fiscal years 1972–1976, inclusive, from which appropriations the Secretary may make grants to and finance contracts and matching or other arrangements with educational institutions, private foundations or other institutions, with private firms and individuals whose training, experience, and qualifications are, in his judgment, adequate for the conduct of water research projects, and with local, State, and Federal Government agencies, to undertake research into any aspects of water problems related to the mission of the Department of the Interior which he may deem desirable and which are not otherwise being studied.

(b) No grant shall be made, no contract shall be executed, and no matching or other arrangement shall be entered into under subsec-

tion (a) of this section prior to sixty calendar days from the date the same is submitted to the President of the Senate and the Speaker of the House of Representatives and said sixty calendar days shall not include days on which either the Senate or the House of Representatives is not in session because of an adjournment of more than three calendar days to a day certain or an adjournment sine die.

(c) *In addition to other requirements of this Act, the Secretary's annual report to the President and Congress as required by section 307 of this Act shall specifically identify each contract and grant award approved under subsection (a) of this section in the preceding fiscal year, including the title of each research project, name of performing organization, and the amount of each grant or contract.*

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 300. The Secretary of the Interior shall obtain the continuing advice and cooperation of all agencies of the Federal Government concerned with water problems, of State and local governments, and of private institutions and individuals, to assure that the programs authorized in this Act will supplement and not duplicate established water research programs, to stimulate research in otherwise neglected areas, and to contribute to a comprehensive, nationwide program of water and related resources research. He shall make generally available information and reports on projects completed, in progress, or planned under the provisions of this Act, in addition to any direct publication of information by the institutes themselves.

SEC. 301. Nothing in this Act is intended to give or shall be construed as giving the Secretary of the Interior any authority or surveillance over water resources research conducted by any other agency of the Federal Government, or as repealing, superseding, or diminishing existing authorities or responsibilities of any agency of the Federal Government to plan and conduct, contract for, or assist in research in its areas of responsibility and concern with water resources.

SEC. 302. Contracts or other arrangements for water resources work authorized under this Act with an institute, educational institution, or non-profit organization may be undertaken without regard to the provisions of section 3684 of the Revised Statutes (31 U.S.C. 529) when, in the judgment of the Secretary of the Interior, advance payments of initial expense are necessary to facilitate such work.

SEC. 303. No part of any appropriated funds may be expended pursuant to authorization given by this Act for any scientific or technological research or development activity unless such expenditure is conditioned upon provisions determined by the Secretary of the Interior, with the approval of the Attorney General, to be effective to insure that all information, uses, products, processes, patents, and other developments resulting from that activity will (with such exceptions and limitations as the Secretary may determine, after consultation with the Secretary of Defense, to be necessary in the interest of the national defense) be made freely and fully available to the general public. Nothing contained in this section shall deprive the owner of any background patent relating to any such activity of any rights which that owner may have under that patent.

SEC. 304. There shall be established, in such agency and location as the President determines to be desirable, a center for cataloging current and projected scientific research in all fields of water resources. Each Federal agency doing water resources research shall cooperate by providing the cataloging center with information on work underway or scheduled by it. The cataloging center shall classify and maintain for general use a catalog of water resources research and investigation projects in progress or scheduled by all Federal agencies and by such non-Federal agencies of government, colleges, universities, private institutions, firms, and individuals as voluntarily may make such information available.

SEC. 305. The President shall, by such means as he deems appropriate, clarify agency responsibilities for Federal water resources research and provide for interagency coordination of such research, including the research authorized by this Act. Such coordination shall include (a) continuing review of the adequacy of the Government-wide program in water resources research, (b) identification and elimination of duplication and overlaps between two or more agency programs, (c) identification of technical needs in various water resources research categories, (d) recommendations with respect to allocation of technical effort among the Federal agencies, (e) review of technical manpower needs and findings concerning the technical manpower base of the program, (f) recommendations concerning management policies to improve the quality of the Government-wide research effort, and (g) actions to facilitate interagency communication at management levels.

SEC. 306. As used in this Act, the term "State" includes the Commonwealth of Puerto Rico, the District of Columbia, and the territories of the Virgin Islands and Guam.

SEC. 307. The Secretary shall make a report to the President and Congress on or before [March 1] *October 1* of each year showing the disposition during the preceding [calendar] *fiscal* year of moneys appropriated to carry out this Act, the results expected to be accomplished through projects financed during that year under sections 101 and 200 of this Act, and the conclusions reached in or other results achieved by those projects which were completed during that year. The report shall also include an account of the work of all institutes financed under section 100 of this Act and indicate whether any portion of an allotment to any State was withheld and, if so, the reasons therefor.

SEC. 308. *Excess personal property acquired by the Secretary under the Federal Property and Administrative Services Act of 1949, as amended, for use in furtherance of the purposes of this Act may be conveyed by the Secretary to a cooperating institute, educational institution, or non-profit organization, with or without consideration, under such terms and conditions as the Secretary may prescribe.*



